

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN TOWER, ¹	§
	§ No. 268, 2023
Petitioner Below,	§
Appellant,	§ Court Below–Family Court
	§ of the State of Delaware
v.	§
	§ File No. CN14-04728
JANET FOWLER,	§ Petition No. 22-21006
	§
Respondent Below,	§
Appellee.	§

Submitted: September 7, 2023
Decided: September 14, 2023

ORDER

On August 2, 2023, John Tower filed an appeal from the Family Court’s July 26, 2023 letter addressing the merits of Tower’s petition for a rule to show cause. Because the Family Court docket reflected that a hearing was scheduled on the petition for the following week, the Senior Court Clerk issued a notice, sent by certified mail, to Tower to show cause why his appeal should not be dismissed for his failure to comply with Supreme Court Rule 42 when taking an appeal from an apparent interlocutory order. The United States Postal Service information sheet indicates that the notice was sent out for delivery on August 15, 2023. On August 23, 2023, the Court resent the notice to Tower at the address he provided to the Court

¹ The Court previously assigned pseudonyms to the parties under to Supreme Court Rule 7(d).

via first-class mail. A timely response to the notice to show cause was due on or before September 6, 2023. To date, Tower has not responded to the notice to show cause. Dismissal of the appeal is therefore deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice